

Minutes  
Board of Supervisors  
Regular Meeting  
April 20, 2021

Members Present:           Morgan Phenix, Chairman At-Large  
                                  D. Keith Guzy, Jr., District 1  
                                  Allen Louderback, District 2  
                                  Mark Stroupe, District 3  
                                  Larry Foltz, District 4  
                                  Jeff Vaughan, District 5

Staff Present:               Amity Moler, County Administrator  
                                  Regina Miller, Assistant County Administrator  
                                  Tyler Olsen, Budget Officer  
                                  Tracy Clatterbuck, Zoning Administrator  
                                  Michael Helm, County Attorney  
                                  Janeena Zalipski, Office Aide

**Call to Order:**

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on April 20, 2021, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. Pursuant to the Governor's latest executive order, in-person attendance was limited to 10 people in the room. The meeting was live-streamed via YouTube. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

**Adoption of the Agenda:**

Mrs. Moler indicated that the Board would need to adopt the tax rates tonight and she asked if they would like to further discuss the budget at the end of the meeting if they would like to schedule another budget work session to finalize the budget. It was consensus to schedule another budget work session for April 28, 2021, at 5:00 pm.

**Motion:** Supervisor Vaughan moved to adopt the agenda, as presented. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

**Public Hearing - Tax Rates for 2021:**

Chairman Phenix opened the public hearing for the tax rates at 7:03 p.m. Mrs. Moler outlined the current tax levy and proposed levy, as advertised.

Year	Real Estate & <u>Mobile Homes</u>	Personal <u>Property</u>	Machinery & Tools	Motor <u>Carrier</u>	<u>Aircraft</u>
2020 Levy	\$0.73	\$4.40	\$1.50	\$1.50	\$0.50
2021 Proposed	\$0.87	\$4.40	\$1.50	\$1.50	\$0.50

Public Comments on the Tax Rates:

Wendy Gonzalez, School Superintendent, expressed that she supports a tax increase, but not \$0.14. She said \$0.07 would be a good start. Mrs. Gonzalez said that the burden has fallen on County funding as a result of the State reducing its funding to the school system. She said we are all in this together and she knows this is a difficult time and decision. but our students are our future.

Karen Marcum said that the assessments this year have already raised taxes, and this increase will cost her more. She asked that the taxes not be increased.

Doug Knight stated that we do not live in Northern Virginia. The assessments have increased our taxes and now the Board wants to increase the rate. He asked who will want to come live here with this kind of tax rate.

Teresa A. Dean said the 17.6% increase would be beyond irresponsible. Inflation is on the rise and come this winter, gas prices, heating oil and propane as well as electricity is expected to put us in hyper-inflation situation given the federal government's habit of printing money. There should be no increase in real estate taxes.

Gayleen Birmingham expressed her opposition to the excessive hike in the real estate tax. To add such an enormous tax increase on top of a nearly double-digit reassessment increase, is such a bad decision. So many people suffered periods of unemployment over the past year due to the Covid shutdowns. I was among the fortunate few who were able to have a job to return to, albeit at reduced hours, like many others. Reduced hours mean reduced income. Reduced income means less money to pay for necessities such as mortgages or rent, utilities, gas, food, etc. We do not need increased taxes piled on top of that. Also, please keep in mind that a lot of us have to pay town real estate taxes on top of the county taxes. Out of 95 Virginia counties, this huge increase in the real estate tax puts Page County in the top 10 for taxes, while Page is in the bottom 20 as far as average income. I urge you to go back through the budget and pare it down to a reasonable amount. Please keep only what is needed and get rid of what is merely wanted.

Chairman Phenix closed the public hearing on the tax rates at 7:14 p.m.

Supervisor Vaughan said that he respects all comments and it's a tough decision when it comes to education. There are a lot of unknowns and the Board needs to look at revenue streams, not raising taxes.

Supervisor Foltz said he agreed with not raising taxes.

Supervisor Guzy indicated that we are in desperate times and cannot fund these requests without an increase. The Board can use the Fund Balance for the CIP projects, but without a tax increase they can't do much more.

Chairman Phenix said he doesn't want to raise taxes but wants to provide services.

Supervisor Stroupe said we have needs in the Sheriff's Department and the Schools. The County needs businesses to help generate revenue and affordable housing.

Supervisor Louderback said even with affordable housing or businesses people look at the tax rate before moving into the county and they need to be balanced.

Mrs. Moler reminded the Board that staying at the current tax rate still leaves over \$700,000 the Board can use to fund operations.

**Motion:** Supervisor Vaughan moved to reduce the real estate tax to \$0.70 and leave the remaining rates the same. There was no second to the motion. No vote was taken.

**Motion:** Supervisor Foltz moved to keep all tax rates the same. Supervisor Stroupe seconded and the motion failed by a tie vote. Aye: Louderback, Stroupe, Foltz. Nay: Guzy, Vaughan, Phenix.

**Motion:** Supervisor Vaughan moved to reduce the real estate tax rate by \$0.01 and leave the remaining rates the same. There was no second to the motion. No vote was taken.

**Motion:** Chairman Phenix moved to reduce the real estate tax rate by \$0.01 making it \$0.72. Supervisor Vaughan seconded and the motion passed by a vote of 4.2. Aye: Louderback, Foltz, Vaughan, Phenix. Nay: Stroupe, Guzy.

**Public Hearing - Budget for FY 2021-2022:**

Chairman Phenix opened the public hearing on the budget for FY2021-2022 at 7:45 p.m. Mrs. Moler reviewed the budget, as advertised:

General Fund	\$27,179,358
VPA	3,241,800
Children's Services Act	2,548,778
Capital Improvement	1,603,147
Landfill Capital Improvement	1,280,000
School Operating	41,758,058
School Cafeteria	2,058,734

School Capital Improvement	1,722,200
Parks and Recreation	20,000
VJCCCA	30,076
CVWP	81,646
Page County Water Quality	6,000
Airport Hangars	91,000 in matching revenue
Total Revenue	\$81,622,797

Public Comments on Budget for FY 2021-2022:

Wendy Gonzalez, School Superintendent, said she was stunned that the Board voted to decrease the real estate tax. She reminded the Board that the SOQ (Standards of Quality) are only partially funded by the state. She wanted the community to know that the local government funds a lot of things that are not SOQ. She said that underfunding will not provide for the 5% pay increase let alone the other SOQ positions they have to fund. The decision to decrease the tax rate means they may not be able to meet their needs.

George Tickerhoof asked the Board to consider fully funding the schools, not just for the teachers, but for the students. The students deserve what other schools provide when fully funded. PCPS must have the resources to support an infrastructure that will foster a better, safer, more efficient learning environment for all students. To accomplish this, PCPS must be able to hire and retain staff who are highly qualified and certified in the content area they teach. They lose excellent staff to neighboring counties or to other employers. PCPS must become competitive in the region with stronger salaries.

Lee Meadows thanked the Board for reading the comments; everyone wants their opinion heard. She said we need to pay our teachers more in order to attract qualified staff.

Dwayne Painter thanked the Board for helping with the bus funding and literature needs. He said that the schools are frugal with their spending, but need fully funded.

Skip Halpern asked several questions about the budget. He spoke about the Shenandoah Valley Electric Cooperative and broadband, RF connect, and highspeed internet. How will we pay for the second phase and do we have a business plan for the utility? Mrs. Moler ask him to forward his questions to her and she would provide answers.

Comments Submitted Online:

Mrs. Moler read the comments that were submitted online through the County website.

Lynn Swartzlander: This is the year to make our schools a priority. Our kids have worked hard and deserve to be fully funded this year.

Rolf Gubler, District 2 School Board Member: I respectfully urge you to fully-fund the 2021-2022 Page County Public Schools budget that has been presented to you. For

years, PCPS has been underfunded by the Board of Supervisors and this has caused a gradual erosion in the level of service provided to our students. It has made it harder to support staff raises and to retain the highly qualified teachers who work and live in Page County. It's made it harder to fund key positions that ensure that PCPS students graduate with the essential skills needed for future success. This perennial underfunding has made it difficult to adequately maintain facilities, provide safe equipment (i.e., safe buses), and provide the necessary services to keep our schools running smoothly. To meet these needs, the Board of Supervisors, Page County Public Schools, and the community must work together to prioritize our students and be willing to provide the resources that will foster better, safer, and more robust learning opportunities for ALL of our students. As we have seen with the COVID shutdown, Page County wasn't prepared for the rapid shift to virtual learning. The lack of broadband access, lack of devices, and the lack of technology skills all became hurdles the division had to address and push forward to overcome. As the pandemic continues, we all recognize that achievement gaps will grow without intervention. The school system is already positioning itself to address these achievement gaps. I hope that you will be supportive of the needs of the school system and see this as an opportunity to use the funding that is coming into the County to help PCPS address the urgent needs of our children. Now is the time for the Board of Supervisors to prioritize education and give Page County Public Schools a stronger foundation for next year!

Kristin Vaughan: I am a long-time employee of PCPS. I am writing to ask that you fully fund the 2021-2022 Page County Public Schools budget that has been presented to you. Inadequate funding for public schools puts our students at a disadvantage. It is harder to attract and retain quality employees when staff salaries are low. Lack of funding makes it harder to provide key positions that ensure students will graduate with the essential skills needed to succeed. Underfunding makes it hard to maintain facilities and equipment to keep our students healthy and safe. Our school division needs well-maintained facilities and safe equipment to keep our students and staff safe. Our school system needs support staff to provide integral services to keep our schools operating smoothly. Our students need more counselors who will help students who are struggling to cope day-to-day and to adjust to the challenging times they have been facing, so they are better able to learn while they are at school. Our school system needs highly qualified teachers who will stay in Page County long term and who work to ensure all PCPS students graduate with 21st Century skills needed for future success. To meet these needs, the Board of Supervisors, Page County Public Schools, and the community must band together to prioritize our students and be willing to provide the resources that will support an infrastructure that will foster better, safer, more efficient learning environments for equitable learning experiences for all of our students.

Sarah Lam: I am a school counselor at Luray High School and am completing my sixth year. Prior to my time at Page County Public Schools, I served as a school counselor in Rockingham County for ten years. I am a resident of Page County and have lived here for seventeen years. While living in Stanley, I drove for five years to my job at Turner

Ashby High School and then another five years to Spotswood High School. When a position opened at Luray High School, I jumped at the chance to apply, as I wanted to serve in the community where I live. My time working for Page County Public Schools has been the most rewarding of my career thus far. Many people thought I was crazy to take a pay cut to come to Page County, but after working here for six years, I would not go anywhere else. We have wonderful students, compassionate faculty and staff, and the hardest working administration I have ever seen. I am writing to you today to ask that you fully-fund the 2021-2022 PCPS budget submitted by Dr. Gonzalez and approved by the Page County School Board. Our children deserve it.

Elizabeth Osborne: For the past 29 years, I have been a teacher for Page County Public Schools. I began my career at Grove Hill Elementary, have taught at Luray Elementary, and currently teach at Luray Middle. My own children attended Page County Schools, going on to graduate from college, and are now contributing members of their communities, which, unfortunately, is not Page County. I have taught your children, and, in some cases, now teach your grandchildren. It has been a wonderful and fulfilling experience. Every year, the school system works diligently to create a budget to continue successfully educating our children. Every year, the school system has to find creative ways to operate on less and less. I would implore you to please accept the Page County School's budget. Please fully fund our schools. It is not a request for me, or for you but for our children and the future of Page County.

Renee Fadeley: I am currently the only special education teacher staffed at Springfield Elementary. This is my 7th year with PCPS and I am a lifelong resident of Page County (residing in District 2) and a product of Page County Public Schools. In addition, my children also attend Springfield Elementary. I understand many different aspects of education, both as a parent and educator and from a financial standpoint. Unfortunately, this year will be my last in Page County as I am moving to a neighboring county for a pay increase and the opportunity to work in a better funded division with more opportunities for professional growth. I hope to one day return with an improved skill set as my heart is here in this county. I am writing today to ask that you fully-fund the 2021-2022 PCPS budget submitted by Dr. Gonzalez, which was approved by the Page County School Board. Level funding risks everything that we have been working for: achieving educational gains for students, retaining qualified staff, offering competitive pay for all school employees, maintaining safe facilities, and having adequate resources to be sure Page County students receive the best education that we can make available to them.

Sarah Getz: I teach 9th Grade World Geography at Luray High School. I grew up in Luray, graduated from LHS in 1988, and returned in 1993 to start my teaching career. I left in 1997 and lived and taught in Roanoke County for the next 20 years. I'm currently in my 28th year of teaching. My choice to return was based on the loss of my father and desire to be near my mom. It was a big culture shock coming back to Page County after being gone so long. Educationally speaking, the biggest difference between Roanoke and Page

is the overall view of the importance of education. Here, there is a sentiment that teachers get paid too much and schools get too much of the local budget. It's almost like resentment which absolutely baffles me. I just can't understand how an economically struggling community doesn't appreciate the best way to improve the county. I am writing to you today to ask that you fully-fund the 2021-2022 PCPS budget submitted by Dr. Gonzalez and approved by the Page County School Board.

Sean Purnell: I work at Page County Middle School. This is my first-year teaching because I am a combat veteran who served in Afghanistan in 2013-2014. I found myself wanting to teach after my tour and the COVID pandemic helped accelerate that desire. I applied to other local area teaching jobs such as Albemarle, Culpeper, Greene, Madison, and Rockingham, however I felt at home at Page County. Page County Public Schools gave me the opportunity to shine as a teacher. I am writing to you today to ask that you fully-fund the 2021-2022 PCPS budget submitted by Dr. Gonzalez and approved by the Page County School Board.

Virginia Miller: I teach at Page County Middle School. I live in Stanley and grew up in Page County. I am writing to you today to ask that you fully-fund the 2021-2022 PCPS budget submitted by Dr. Gonzalez and approved by the Page County School Board.

Jamie Weaver, Megan Williams, Shirley Weakley and Katie Rines submitted emails to County Administration also supporting full funding of the schools.

Chairman Phenix closed the public hearing at 8:37 p.m.

**Reconsideration of Tax Rates for 2021:**

Chairman Phenix said the activity going on between legal counsel, Supervisor Louderback and himself was to clarify whether the Chairman could make a motion and how to reconsider the tax levy motion, that decreased the real estate tax rate.

Michael Helm, County Attorney, said Chairman can make a motion, but someone from the prevailing side will have to make a motion to reconsider the last motion on the tax rate and it will need to pass before the new motion is made.

**Motion:** Supervisor Louderback moved to reconsider the previous motion on the tax rate. Supervisor Stroupe seconded and the motion passed by a vote of 4-2. Aye: Stroupe, Phenix, Guzy, Louderback. Nay Foltz, Vaughan.

Mr. Helm clarified that the original motion for reducing the tax rate by \$0.01 is now back on the table for discussion and a new vote.

**Revote on the Previous Motion on the Real Estate Tax Rate:** Aye: Foltz, Vaughan. Nay: Phenix, Guzy, Louderback, Stroupe. Motion failed by a vote of 2-4.

**Motion:** Supervisor Vaughan moved to leave the tax rate the same. Supervisor Louderback seconded.

Mr. Helm advised that this motion cannot be made because it is a motion to renew a previously failed motion.

**Motion:** Supervisor Stroupe moved to leave the tax rate at zero [remain the same]. Supervisor Foltz seconded and the motion passed by a vote of 5-1. Aye: Vaughan, Phenix, Louderback, Stroupe, Foltz. Nay: Guzy. Mr. Helm said the motion was made to reopen the previous motion that failed to pass at no change.

**Motion:** Supervisor Vaughan moved for the current tax rate to remain as is. Supervisor Stroupe seconded and the motion passed by a vote of 4-1 with one abstention. Aye: Phenix, Louderback, Stroupe, Foltz. Nay: Guzy. Abstain: Vaughan.

**Public Hearing - Code Amendment Chapter 105 – Business License Requirements:**  
Chairman Phenix opened the public hearing on Code Amendment to Chapter 105 at 8:37 p.m.

Mrs. Moler said that in order to obtain a business license from the County a walkover is required to be done by the Health Department as well as a review by the Department of Transportation. She noted that this is not a state code requirement, but a County code requirement. The Page County Health Department, she said, recently reduced its staff and they currently do not have the environmental specialists to do the walk over. It's costing the applicant an additional \$100-\$500 to hire a third party to perform the environmental walkover for a business license, plus it has caused a back log in building and zoning permits.

Mrs. Moler requested the Board strike the requirement for VDOT and the Health Department from the approval process and issue business licenses without it.

**ORDINANCE TO AMEND CHAPTER 105 (TAXATION)  
OF THE PAGE COUNTY, VIRGINIA CODE**

WHEREAS, by Ordinance duly adopted, the Board of Supervisors of the County of Page adopted Chapter 105, Taxation, of the Page County Code, which Chapter has been further amended from time to time; and

WHEREAS, upon mature consideration, the Board of Supervisors has determined it is in the best interest of the County to further amend the ordinance.

NOW THEREFORE, be it resolved and ordained by the Board of Supervisors of the County of Page, Virginia, that Chapter 105 (Taxation), Article XI (Business and



Professional Occupation License Tax), §105-50, License Requirements, of the Page County Code be amended as follows:

1. Chapter 105. Taxation. Article XI. Business and Professional Occupation License Tax, §105-50, License Requirements, sub-section A, shall be amended to read:

A. Every person engaging in this jurisdiction in any business, trade, profession, occupation or calling (collectively hereinafter "a business") as defined in this article, unless otherwise exempted by law, shall apply for a license for each such business if such person maintains a definite place of business in this jurisdiction, such person does not maintain a definite office anywhere but does maintain an abode in this jurisdiction, which abode for the purposes of this article shall be deemed a definite place of business, or there is no definite place of business but such person operates amusement machines, is engaged as a peddler or itinerant merchant, carnival or circus as specified in § 58.1-3717, 58.1-3718, or 58.1-3728, respectively, Code of Virginia, or is a contractor subject to § 58.1-3715, Code of Virginia, or is a public service corporation subject to § 58.1-3731, Code of Virginia. A separate license shall be required for each definite place of business. No such license shall be issued until there has been furnished to the Office of the Commissioner of Revenues proof that the applicant has complied with all requirements of the Building Code of the County of Page, Virginia, the zoning requirements of the County of Page, Virginia and all other ordinances and requirements of this jurisdiction or the Commonwealth of Virginia. A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all of the following criteria are satisfied. Notwithstanding the foregoing, home occupations and virtual businesses as defined in Chapter 125, § 125-4, of the Page County Code shall only require review and approval of the application by the Zoning Administrator and Building Official, unless such home occupation is being operated in an accessory building, in which case, such home occupation shall require a special use permit in accordance with Chapter 125, § 125-15, of the Page County Code.

(1) Each business or profession is licensable at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of this jurisdiction;

(2) All of the businesses or professions are subject to the same tax rate or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and

(3) The taxpayer agrees to supply such information as the Assessor may require concerning the nature of the several businesses and their gross receipts.

2. Except as amended above, Chapter 105, Taxation, shall remain in full force and effect.

Public Hearing Comments:

There were no speakers during the public hearing.

Chairman Phenix closed the public hearing at 8:40 p.m.

**Motion:** Supervisor Stroupe moved to adopted the Code Amendment Chapter 105 – Business License Requirements, as presented. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**Public Hearing - Budget Amendment for FY2020-2021:**

The notice of public hearing was advertised as follows:

NOTICE OF PUBLIC HEARING  
BUDGET AMENDMENT  
PAGE COUNTY BOARD OF SUPERVISORS

On April 20, 2021 at 7:00 p.m., the Page County Board of Supervisors will conduct a public hearing at the Page County Administration building, 103 South Court St., Luray, VA 22835, for the purpose of considering an amendment to the fiscal year 2021 budget. The aggregate amount of the amendments exceeds one percent of the fiscal year 2021 budget and the public hearing is required by Section 15.2- 2507 of the Code of Virginia.

**REVENUE:**

Loan Proceeds	\$6,950,000
Local Funds	1,316,384
State Funds	1,000

**EXPENDITURE:**

Capital Improvements	\$7,831,895
General Fund	435,489

Chairman Phenix opened the public hearing on the Budget Amendment for FY2020-2021 at 8:41 p.m.

Tyler Olsen, Budget Officer, reviewed the budget amendment. He said in August 2020, the County received proceeds from a lease purchase agreement with Sterling National Bank in the amount of \$6.95 million for the public safety radio system. This project will provide greater radio frequency coverage and performance for many local agencies. It is requested that \$6.95 million be appropriated to the Capital Improvement Projects (CIP) Fund to pay for this project. Since the project will span across multiple fiscal years, the unspent funds will need to be reappropriated in future years. In Fiscal Year 2020, the Schools did not use \$1,526,679 of their appropriated funds. The Page County School

Board is requesting that \$856,009 of the savings be reappropriated to the CIP Fund. Of that amount, \$309,009 will be used to replace three school busses; and, \$547,000 will be used to purchase a new English Language Arts curriculum for kindergarten to fifth grade. Additionally, in FY 20, the Page County Sheriff's Office was to buy two Dodge Chargers. One vehicle was to be purchased out of the CIP Fund, and the other was to be purchased with money from a signing bonus from PayTel Communications. Due to COVID-19, the purchases were delayed until the current fiscal year. It is requested that the funds to purchase these vehicles are carried over and reappropriated to the CIP Fund in the amount of \$25,886 and to the Sheriff's Department in the amount of \$25,000. The Page County Jail is requesting \$400,000 for inmate housing. This will be funded using the County's General Fund Balance. The money is needed for the increased cost of housing inmates at surrounding jails. The County has received \$9,489 over budget from the Virginia Department of Fire Programs. It is requested that these State funds be appropriated to the volunteer fire departments. The Page County Sheriff's Office is requesting that State funds in the amount of \$1,000 be appropriated to the Crime Prevention budget. These funds were received through the Office of the Attorney General's Triad Grant. This money will be used to provide tools to prevent crimes against senior citizens.

Public Hearing Comments:

Skip Halpern said he has questions on the FY2022 budget and expressed concern with the broadband, SEVC, and RF connect. Mrs. Moler suggested he forward his questions to her and she will provide answers to them.

Chairman Phenix closed the public hearing at 8:46 p.m.

**Motion:** Supervisor Stroupe moved to approve revenue from proceeds from a lease purchase agreement in the amount of \$6,950,000, local funds in the amount of \$1,306,895, and state funds in the amount of \$10,489 and expenditures to the Page County General Fund in the amount of \$435,489 and the CIP Fund in the amount of \$7,831,895. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Supplemental Appropriations Requests:

Department	Description	Revenue Source	Expenditure	Amount
Capital Improvements	Radio System	Sterling National Bank 301-0000-318-99-87	CIP 301-9420-541-80-71	\$6,950,000
Capital Improvements	Carryover Funds from FY20	Fund Balance 101-0000-341-04-07	CIP 301-9420-541-58-15	856,009
Capital Improvements	Sheriff Vehicle	Fund Balance 101-0000-341-04-07	CIP 301-9420-541-80-05	25,886
Sheriff	Carryover PayTel Funds from FY20	Fund Balance 101-0000-341-04-07	Contractual Services 101-3120-431-30-40	25,000
Jail	Inmate Housing	Fund Balance 101-0000-341-04-07	Contractual Services 101-3310-433-30-40	400,000

Vol. Fire & Rescue Depts	Fire Programs	VA Dept. of Fire Programs 101-0000-324-04-12	Fire Program 101-3220-432-56-40	9,489
Crime Prevention	Triad Grant	Commonwealth of VA 101-0000-324-04-33	Triad Grant 101-3130-431-59-02	1,000
Total				\$8,267,384

**Presentations, Proclamations & Awards:**

**Audit for FY2020:**

James Kelly, Robinson, Farmer, Cox Associations, Certified Public Accountants, PLLC, said that Page County has received the Certificate of Achievement for Excellence in Financial Reporting again for fiscal year ending 2019. The audit objectives are the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with Generally Accepted Accounting Principles. The unmodified audit opinion, which is the highest level of assurance available, is their opinion. The financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the discretely presented component units, each major fund and the aggregate remaining fund information of the County of Page, Virginia, as of June 30, 2020, and the respective changes in financial position, and, where applicable cash flows thereof for the year ended, in accordance with accounting principles generally accepted. Internal control over financial reporting showed no significant deficiencies or material weaknesses. He noted that state compliance with the budget, procurement and VRS reporting was all in compliance. The single audit compliance federal program audited was Child Nutrition Cluster and SNAP Cluster. Mr. Kelly said the financial highlight is the combined ending fund balances for governmental funds of \$14.4 million. This reflects an increase of \$2.7 million compared to the FY2019 fund balances. The general fund unassigned fund balance of \$14 million, which was an increase of \$2.7 million from FY2019, and cash and cash equivalents of \$18 million. Mr. Kelly presented slides with the county's unassigned fund balance compared to expenditures and the fund balances over the last 5 years. He also showed the general fund revenue and expenditure analysis, changes in fund balances over the last 5 years and ratios of outstanding debt by type over the last 5 years. He said that the county received over \$2.1 million in CARES act funding in FY2020 and the vast majority of these funds were unspent at June 30, 2020. He reminded the Board that that Federal oversight of the use of these funds is expected to be very thorough all CARES expenditures will need to be fully documented for FY2021. In conclusion, he said a management memorandum, adjusting journal entries and governance letter was completed.

**Lord Fairfax Community College Name Change:**

Ron Maxwell, Rappahannock County Board of Supervisors Member, gave a brief presentation and requested the Board join Rappahannock County to send a resolution asking Lord Fairfax Community College to not change its name.

**Public Comments on Agenda Items:**

There were no speakers during Public Comments on Agenda items.

**Action Matters:**

**Board and Commission Appointments:**

Mrs. Miller reviewed the Board and Commission Appointments with the Board as follows:

**Old Dominion Alcohol Safety Action Program Policy Board:**

The term of Lieutenant Dominika Seal has expired. She is willing to serve another three-year term. The new term would begin April 21, 2021 and expire on April 20, 2024.

**Old Dominion Community Criminal Justice Board:**

The term of Lieutenant Dominika Seal has expired. She is willing to serve another three-year term. The new term would begin April 21, 2021 and expire on April 20, 2024.

**Motion:** Supervisor Vaughan moved to reappoint Dominika Seal to the Old Dominion Alcohol Safety Action Program Policy Board and Old Dominion Community Criminal Justice Board through April 20, 2024. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Louderback. Nay: None

**Social Services Board:**

There is a vacancy on the Social Services Board for the District 4 seat. Del Price has expressed an interest in serving. The term for this seat would run for an unexpired term through December 31, 2023.

**Motion:** Supervisor Vaughan moved to appoint Del Price, as the District 4 representative, to the Social Services Board through December 31, 2023. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Louderback, Stroupe. Nay: None.

**Consent Agenda:**

**Motion:** Supervisor Vaughan moved to approve the Consent Agenda as follows:

- Financial reports for the periods of March 1-31, 2021:
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,993,180.94 for the month of March 2021;
- Minutes of March 2, 2021, March 16, 2021, March 18, 2021, March 25, 2021, and March 30, 2021;
- Five coyote claims totaling \$250.

Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Louderback, Stroupe, Foltz. Nay: None.

**Old Business:**

There was no Old Business to discuss.

**New Business:**

**Review of Special Use Permit – Michael Painter:**

Tracy Clatterbuck, Zoning Administrator, reviewed the special use permit request for Michael Painter. She said that Mr. Painter has filed an application for a special use permit to operate a banquet/event facility located south on River Road, 0.25 miles from US Hwy BSN 340 W, on the right, Stanley, VA. The parcel is identified by tax map number 70-A-117 (containing 203.78 acres). The property is currently zoned as Agriculture (A-1). The property is improved with an existing 48x96 barn and other numerous accessory structures. The applicant is proposing to use the portion of the property between River Road and the Shenandoah River as part of the banquet/event facility. Pursuant to § 125-10 D. (l6) of the Page County Zoning Ordinance, banquet facilities and event facilities require a SUP.

Virginia Department of Transportation (VDOT) expressed that they have no issues with the proposed use, once a new entrance is constructed. The existing entrance at this site does not meet the minimum sight distance standards. VDOT has identified a location for a new moderate volume commercial entrance at the property approximately 570' south of Rt. 340. A VDOT Land Use Permit will be required to construct the new entrance. VDOT will work with the owners engineer to approve the design of the new entrance. At the time of events, no parking or signage is allowed on the VDOT Right of Way. Staff recommends that we make the requirements for VDOT as a condition of the permit, and give the applicant six months to complete the work (from the date of approval of the SUP).

The Health Department had no objections to the issuance of the special use permit. Based upon information provide by an OSE (On-site Soil Evaluator), the existing well is registered with the Office of Drinking Water (ODW). Prior to issuance of an Operation Permit for the sewage disposal system, additional supporting documentation must be provided to the Health Department demonstrating how the sewage disposal system is capable of serving the sewage disposal needs to the Event Center. The applicant is currently working with the On-site Soil Evaluator, along with the local Health Department on obtaining the required health permits. Staff recommends that the Board make approval of the well and septic permits a condition of the special use permit, and give the applicant six months to complete the work (from the date of approval of the SUP).

According to the Building Official, the applicant was required to obtain a structural inspection and load rating report on the existing barn by a licensed engineer. He contracted with Racey Engineering to complete the study. Racey Engineering concluded that the building was found to be suitable to support 200-person occupancy. This report has been reviewed and accepted by Mr. Campbell. Building permits will be required for any code related items.

The Page County Planning Commission held their public hearing on April 13, 2021 and recommended approval to the Board of Supervisors.

**Motion:** Supervisor Guzy moved that the Page County Board of Supervisors hold a public hearing on this special use permit application at the May 18, 2021 regular meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia 15.2-2204. Supervisor Vaughan seconded and the motion passed by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**Review of Special Use Permit – David Nealis:**

Tracy Clatterbuck, Zoning Administrator, reviewed the special use permit request for David Nealis. She said Mr. Nealis has filed an application for a special use permit to operate a home occupation for a detailing shop in an existing accessory structure located at 161 Brady Road, Stanley, VA. The parcel is identified by tax map number 72-A-26, contains 3.384 acres, and is currently zoned as Agriculture (A-1). The property is improved with a single-family dwelling and numerous accessory buildings.

This special use permit, she said, would allow the applicant to operate a detailing shop that would include the cleaning of vehicles, audio upgrades, and window tint services from the primary residence. The proposed business would be conducted out of an existing 23x39 garage on the property. Pursuant to § 125-15 B.(1)(e) of the Page County Zoning Ordinance, home occupations in an accessory building require a special use permit.

The Virginia Department of Transportation reviewed the request and stated that the proposed use will have no impact to the VDOT ROW. The Health Department had no objections to the operation of the proposed car detailing business on this property. The Building Official had no issue with the existing garage being used for business.

The Page County Planning Commission held their public hearing on April 13, 2021 and recommended approval to the Board of Supervisors.

**Motion:** Supervisor Vaughan moved that the Page County Board of Supervisors hold a public hearing on this special use permit application at the May 18, 2021 regular meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia 15.2-2204. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**Review of Rezoning Request – Suneel & Renu Kapur:**

Tracy Clatterbuck, Zoning Administrator, reviewed the rezoning request for the Kapurs. She said Suneel & Renu Kapur has filed an application to rezone the following properties:

1. Property located at 170 Kibler Drive, Luray, and further identified by tax map number: 30A2-A-1, containing 7.466 acres;

2. Property located at 165 Kibler Drive, Luray, and further identified by tax map number: 30A2-3-1; containing 3.87 acres;
3. Property located off Kibler Drive (beside 165 Kibler Drive), Luray, and further identified by tax map number: 30A2-3-2; containing 1.75 acres; and
4. Property located off Kibler Drive (across from 170 Kibler Drive), Luray, and further identified by tax map number: 30A2-3-3, containing 1.75 acres.

The applicant is proposing to rezone the above listed parcels from Agriculture (A-1) to Residential (R).

The applicant purchased the above listed properties on November 9, 2020. In the near future, the applicant would like to subdivide the lot identified by tax map number 30A2-A-1 into residential lots (approximately 2-3 acres each). In the Page County Subdivision of Land Ordinance, under the definition of "subdivide", Section 100-3(3) states: "Nonfamily division (excluding immediate family division): In Agricultural and Woodland-Conservation zoned districts, the Clerk may permit one division of a parcel into two parcels once every five years, provided that....subsections A through F are met. Because these lots are currently zoned as Agriculture, the applicant could not do the desired subdivisions of land at one time. The applicant would only be able to do one division once every five years. By rezoning the land to Residential, this will allow the applicant to apply for a Class A and/or B subdivision. The applicant is proposing no future subdivisions of land for lots identified by tax map numbers: 30A2-3-1, 30A2 3-2 and 30A2-3-3.

She noted that comments from VDOT, the Health Department and the Building Official have been included in the packet.

The Page County Planning Commission held their public hearing on March 9, 2021. At the public hearing, numerous concerns from adjoining landowners were received. Most concerns came from the Egypt Bend Lot Owners Association related to a community well that serves lots in the subdivision that was located adjacent to (tax map number 30A2-A-2) one of the proposed lots to be rezoned. Mr. David Reed, applicant's attorney, requested that action be tabled at the public hearing as the applicant was working with the Egypt Bend Lot Owners Association in hopes to resolve some of their concerns related to the community well. At the April 13, 2021 Planning Commission meeting, Mr. Reed presented an agreement that had been reached between the Egypt Bend Lot Owners Association President (John Dedman) and Mr. & Mrs. Suneel Kapur.

She noted that the original rezoning request from the applicants included tax map number 30A2-A-1A (containing 16.25 acres), but while going through this review process, they have since sold that tract of land and it is no longer included in the rezoning requests.

The Planning Commission recommended approval to rezone the following lots from Agriculture (A-1) to Residential (R), at their April 13, 2021 meeting:  
Tax Map Number 30A2-A-1 (7.466 acres)



Tax Map Number 30A2-3-1 (3.87 acres)  
Tax Map Number 30A2-3-2 (1.75 acres)  
Tax Map Number 30A2-3-3 (1.75 acres)

**Motion:** Supervisor Vaughan moved that the Page County Board of Supervisors hold a public hearing on the rezoning requests at the May 18, 2021 regular meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia § 15.2-2204. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

**Open Public Comments:**

Ken Jemielly commented regarding the proposed draft solar ordinance. He said the ordinance before the Board has no protections for the county. He said he is still against the solar.

Beth Snider commented that she has heard Board members make comments over the citizen's requests made under the Freedom of Information Act. She said they would not have to submit these requests if they could trust the process. When the Board approved the Dogwood solar project, with no protections and then denied the Cape solar project and then commissioned the Planning Commission and The Berkley Group to draft an ordinance, the citizens hoped the Board was listening to their concerns to write an ordinance. Now, the Board has thrown the ordinance in the trash. Since then, there has been three other ordinances circulating as alternatives to the one decent document. She asked why the County has paid \$7,177 to the County Attorney since November 16, 2020, to simply allow the ordinance written by and to be in the best interest of the solar company and be presented by staff as the document to be considered. She stated that this is wrong and how can the citizens trust the process that comes before the citizens.

Clyde Humphrey commented that the Planning Commission approved by a 9-1 vote a very good solar ordinance that balanced the needs to develop solar energy while at the same time protecting our county's agricultural and tourism economies. That ordinance provided ample opportunities for the development of many smaller solar farms. The role of the Board is to protect the interest of all citizens. It seems that some supervisors are being swayed by developers of huge solar farms at the expense of the county and its citizens. He asked the Board to act in the best interest of all of our citizens and approve the ordinance provided by the Planning Commission.

Chris Anderson commented on the draft solar ordinance. She encouraged the Board to reinstate the "good" solar ordinance and hold the vote on May 18, 2021 so the public can speak.

Jim Gochenour, Page County Farmers Association, asked the Board to read the letter sent to them all. The letter expressed concerns regarding the alternative ordinance to

regulate solar facilities currently under consideration by the Board. The primary concerns include: 1) there is a need for a set of minimum standards; 2) many farmers depend upon leased land to make their operations viable; 3) agricultural land that has been graded and otherwise developed for a utility scale facility to be decommissioned after 30 years will not be viable for production; 4) the ability of farmers to have small and medium scale solar facilities to provide for their on-site powers needs without unreasonable costs and requirements; and, 5) there is limited unused capacity of the transmission lines, if smaller size limited are not placed on the utility scale facilities. The Famers Association favors and ordinance that offers reasonable opportunity for solar facilities with strong protection for their interests, residents and assets of the county. The solar ordinance should have restrictions that protect the interest of the county not the interest of the solar developers and a few landowners that will benefit. Page County consistently places within the top four counties in the state in total agriculture production. We need an ordinance that will protect and enhance that position, not one that will threaten it.

Written Comments Submitted Via the County Website:

Wes & Eileen Porter: As long time local residents we strongly oppose covering Page County farmland with acres of industrial solar “farms”. With agriculture and tourism as our top economic drivers, and contrary to our Comprehensive Plan, what is the rationale for allowing such an industry into our County? We should be inviting industry that will promote our assets, not deplete them. Solar is the way of the future, but not this way. We oppose solar on Page County land, but at the very least the ordinance passed by the Planning Commission is the less destructive way to go for the future of Page County.

Gladys McNemar: Please vote for the good solar ordinance. It is the only document that has had protections for Page County land. It is the best ordinance for our environment, yet still allows some controlled solar power in the county.

Jim Briggs: As a person who is interested in finding a place to retire in the near future, and who has friends and family in Page, I am following closely the discussion about the solar ordinance in Page County. I urge you to include the People of Page County in all your deliberations on this matter. It will affect all of them, the next generations (due to the 40-year lifespan of the project), the tourism and hospitality industries, and people who want to enjoy the scenic beauty of the county.

Amy Cumbia: The recent weeks have been quiet on the subject of the solar ordinance, but those of us who oppose utility scale solar projects on farmland in Page County have been making our voices heard. Numerous editorials and online polls show the majority of the county population is not in favor of large installations. We do not hear voices in defense of solar from the community, and continue to wonder what are some supervisors’ reasons for supporting changes to the original ordinance. The Planning Commission approved the original version or “good ordinance”, but we are left to scour through many edited versions which have no clear revision dates or names of those involved in making

the editorial decisions. Please keep in mind your public wants to be informed on not only the editing of the ordinance, but timeline you expect to follow in the coming weeks.

Connie M Connolly: Three years ago, when the solar company rolled into town, the BOS did not do their homework on how these projects would impact Page County. The fees were lowered to almost nothing, just to further accommodate an industry notorious for taking advantages of rural communities. These companies target areas that often have no protections in place and incompetent legal counsel. To date, 437 comments have been made against these massive industrial projects, many with helpful suggestions to have alternative, suitably sited projects that will have less negative impact on the community.

R. Brown: This is directed to Mr. Stroupe. You are always whining that people question your integrity. Do you wonder why that is? Maybe because you have lied to folks over and over. You said you got a threat but didn't report it. You said you don't care if these solar panels work, but you're voting for them because you don't know what harm they bring. You put your big old sign in Houser's yard. What else might you be getting from him? You said you want to quit at the end of your term. Why do you need to wait? Many folks would be happy to have you quit now. To Chairman – you won't call out the bad stuff your Board is doing. You should have made Mr. Stroupe apologize for his words. You should have gotten rid of Vaughan for lying about the paper he said he wrote. You are just as bad for not calling them out on it. Folks don't want these bad projects. Don't you value your citizens? These solar bums see how easy the Board is and you letting them have it all.

Paula Atwood: Please, plan for the future of Page County. Adopt the good use of solar plan. Do not sell our Page County to the pressure of commercial solar giants.

Bertha Dale Aleshire Chaplin: I keep sending in comments and no one listens. My grandparents lost their land so people could enjoy these views and now you want to ruin it. Page County is a beautiful place and I was proud Luray was known for the caverns and the beautiful sights from the Skyline Drive. At the last meeting, Mr. Stroupe threatened me and others that have worries over these bad projects. It is bad for public officials to make these threats to the people that voted them in their positions. Why do you want to ruin Page County? Don't you care about the people for generations that will have to live with your actions?

Fred & Christine Andreae: As Page County property owners, we support solar energy as vitally necessary for the future of our plant. However, we believe that until solar panels cover every roof top, parking lot, and brownfield in the county, they should not cover potentially productive farmland nor should they destroy the beauty of our landscape. The utility scale solar ordinance now under consideration is driven by individual special interests and has virtually no mandatory restrictions. If adopted, the solar utility company and few individuals will get richer but the citizens of Page County will be poorer. For the

long-term common good, we urge you to adopt an ordinance that places limits on industrial solar “farms” and protects real farmland and tourist-drawing vistas.

**Administrator’s Report:**

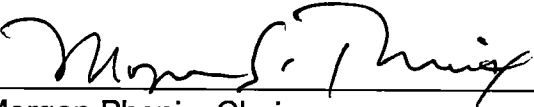
Mrs. Moler suggested that the Board use the May 4<sup>th</sup> work session to review the red-line mark-up on the draft solar ordinance. Then, on May 18<sup>th</sup> she suggested starting the meeting at 6 pm and hold the public hearings and then begin the solar discussion a 7 pm and allow the public an opportunity to speak on the matter. The Board agreed to follow the suggestion. Mrs. Moler continued and said the improvements to the Alma boat landing will begin on April 26<sup>th</sup>. The small business loan applications are being distributed to the businesses that need assistance from COVID. Lastly, she reminded that the joint meeting with the Planning Commission is on April 27<sup>th</sup> at 6:00 p.m.

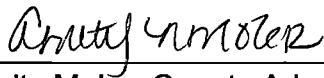
**Supervisors Time:**

All Board members thanked everyone for attending the meeting or watching the live-stream on YouTube.

**Adjourn:** 10:00 p.m.

With no further business, Chairman Phenix adjourned the meeting.

  
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Morgan Phenix, Chairman

  
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Amity Moler, County Administrator